

03-128
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Frank Stilwell

From: Amos Loveday
Sent: Thursday, February 12, 2004 10:47 AM
To: Frank Stilwell
Subject: FW: Identification of historic properties in FCC PA

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FEB 20 2004

-----Original Message-----

From: Betsy Merritt [mailto:Betsy.Merritt@nthp.org]
Sent: Wednesday, February 11, 2004 1:46 PM
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Subject: Identification of historic properties in FCC PA

Federal Communications Commission
Office of the Secretary

The National Trust for Historic Preservation remains concerned about proposals to revise the FCC's draft Nationwide Programmatic Agreement in a manner that would completely eliminate the responsibility for identifying and evaluating historic properties whose eligibility for the National Register is uncertain. While the Trust supports the concept of substantially reducing the research required for identifying historic properties, and we certainly support the elimination of open-ended fishing expeditions, it is unrealistic to assume that applicants can simply rely on existing published "lists"

In addition to the information in the SHPO's "files" and "records," there are two other categories that need to be included within the scope of the reduced identification responsibilities. FIRST is properties of significance to tribes. These are not going to be on any publicly accessible "list," but must be identified through tribal consultation. SECOND, if the SHPO has reason to believe that a specific property or district within the APE is likely to be eligible for the National Register, then that property or district should be evaluated for its eligibility by a qualified professional, even if it has not previously been evaluated or inventoried or surveyed. This would not be an open-ended survey requirement, but an option for the SHPO to request discrete National Register (NR) evaluation where there is a specific basis for believing that NR criteria are satisfied - even if the SHPO's existing files or inventory do not include a prior eligibility determination.

In the National Trust's view, these two categories are essential to retain when defining the scope of reduced identification responsibilities for historic properties. The proposed amendment to the PA circulated by John Clark does not yet address either of these two categories.

Betsy Merritt

Betsy Merritt
National Trust for Historic Preservation

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